



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/562,872

12/29/2005

Tim Froidcoeur

NL 030821

6756

24737 7590 11/26/2008
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

HUSSAIN, FARRUKH

ART UNIT

PAPER NUMBER

2444

MAIL DATE

DELIVERY MODE

11/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/562,872	Applicant(s) FROIDCOEUR ET AL.	
	Examiner FARRUKH HUSSAIN	Art Unit 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/20/2006, 12/29/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

In specification, “CP” is 202 (see page 9, lines 18 and 20), but in Figure 2 it is 204. Also “MR” is 204 (see page 9, lines 18 and 20), but in Figure 2 it is 202.

Appropriate correction is required.

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. (see page 9, lines 3 and 10). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 9-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims recite “Control software” which is neither a process, machine, manufacture or composition of matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 5-6 and 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Weast (US 7,454,511 B2).

With respect to the independent claim 1, Weast reference teaches a method of enabling a UPnP-compliant MediaRenderer-Control Point combination to use an organizational context of a content item as represented in a UPnP Content Directory Service, the method comprising enabling the combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music).

With respect to the claim 2, Weast reference teaches the method of claim 1, comprising enabling the combination to receive the URI together with an objectId representative of the content item (see figure 4a, Address: Z:\MyMedia\Music).

With respect to the independent claim 5, Weast reference teaches an electronic device comprising a UPnP-compliant MediaRenderer-Control Point combination configured to exploit an organizational context of a content item as represented in a UPnP Content Directory Service, the device being configured to process a URI representative of the Content Directory description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music).

With respect to the claim 6, Weast reference teaches the device of claim 5, configured to process an objectID, representative of the content item, together with the URI (see figure 4a, Address: Z:\MyMedia\Music).

With respect to the independent claim 9, Weast reference teaches Control software for installation on a UPnP-compliant MediaRenderer-Control Point combination for enabling the MediaRenderer to exploit an organizational context of a content item as represented in a UPnP Content Directory Service, the software being configured to process a URI representative of the Content Directory description (see column 4, lines 44-52, see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music).

With respect to the claim 10, Weast reference teaches the control software of claim 9, configured to process an objectID, representative of the

Art Unit: 2444

content item, together with the URI (see column 4, lines 44-52 and see figure 4a, Address: Z:\MyMedia\Music).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weast (US 7,454,511 B2), in view of Salmonsens et al (US 2003/0220781 A1).

With respect to the claim 3, Weast reference teaches a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music). Weast fails to explicitly teach providing a ProtocolInfo string referring to the content item and the organizational context for enabling the combination to retrieve a further URI representative of the content item for being streamed using a streaming protocol. However, Salmonsens et al reference teaches a Serial Peripheral Interface (SPI) protocol that defines a synchronous, character-oriented data channel for simplifying and improving data transfer (see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11). Therefore, it would have been obvious to a person of ordinary

Art Unit: 2444

skill in the art at the time of invention was made to have been combined the teachings of Salmonsens et al to utilize the protocol that defines a synchronous, character-oriented data channel feature within the UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative taught by Weast. The motivation for this would have been to easily transfer the data using a streaming protocol. (see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11).

With respect to the claim 7, Weast reference teaches a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music). Weast fails to explicitly teach a ProtocolInfo string referring to the content item and the organizational context for enabling the combination to retrieve a further URI representative of the content item for being streamed using a streaming protocol. However, Salmonsens et al reference teaches a Serial Peripheral Interface (SPI) protocol that defines a synchronous, character-oriented data channel for simplifying and improving data transfer (see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11). Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens et al to utilize the protocol that defines a synchronous, character-oriented data channel feature within the UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative taught by Weast. The motivation for this

Art Unit: 2444

would have been to easily transfer the data using a streaming protocol. (see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11).

With respect to the claim 11, Weast reference teaches a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music). Weast fails to explicitly teach a ProtocolInfo string referring to the content item and the organizational context for enabling the combination to retrieve a further URI representative of the content item for being streamed using a streaming protocol. However, Salmonsens et al reference teaches a Serial Peripheral Interface (SPI) protocol that defines a synchronous, character-oriented data channel for simplifying and improving data transfer (see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Salmonsens et al to utilize the protocol that defines a synchronous, character-oriented data channel feature within the UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative taught by Weast. The motivation for this would have been to easily transfer the data using a streaming protocol. (see paragraph 0050, lines 1-9 and see paragraph 0125, lines 5-11).

Claims 4, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weast (US 7,454,511 B2), in view of Salmonsens et al (US 2003/0220781 A1) and Saulpaugh et al (US 7,065,574 B1).

With respect to the claim 4, Weast reference teaches a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music). Weast fails to explicitly teach the streaming protocol is proprietary. However, Saulpaugh et al reference teaches proprietary protocol for interface to the external device (see column 65, lines 7-13). Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Saulpaugh et al to utilize the protocol for interface to the external device feature within the UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative taught by Weast. The motivation for this would have been to have a control and ownership of the streaming protocol (see column 65, lines 7-13).

With respect to the claim 8, Weast reference teaches a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music). Weast fails to explicitly teach the streaming protocol is proprietary. However, Saulpaugh et al reference teaches proprietary protocol for interface to the

Art Unit: 2444

external device (see column 65, lines 7-13). Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Saulpaugh et al to utilize the protocol for interface to the external device feature within the UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative taught by Weast. The motivation for this would have been to have a control and ownership of the streaming protocol (see column 65, lines 7-13).

With respect to the claim 12, Weast reference teaches a UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: 1Z:\MyMedia\Music). Weast fails to explicitly teach the streaming protocol is proprietary. However, Saulpaugh et al reference teaches proprietary protocol for interface to the external device (see column 65, lines 7-13). Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Saulpaugh et al to utilize the protocol for interface to the external device feature within the UPnP-compliant MediaRenderer-Control Point combination to receive a URI representative taught by Weast. The motivation for this would have been to have a control and ownership of the streaming protocol (see column 65, lines 7-13).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 7,447,740 B2 by AbiEzzi et al discloses Internet Video Conferencing on a Home Television

US 2004/0243700 A1 by Weast discloses Visibility of Media Contents of Upnp Media Servers and Initiating Rendering Via File System User Interface.

US 6,892,230 B1 by Gu et al discloses Dynamic Self-Configuration For Ad Hoc Peer Networking Using Mark-Up Language Formated Description Messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARRUKH HUSSAIN whose telephone number is (571)270-5652. The examiner can normally be reached on Monday-Thursday, Alt. Friday, 7:30 A.M-5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2444

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FH/
Examiner, Art Unit 2444
11/20/2008

/Yemane Mesfin/
Examiner, Art Unit 2444